

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA,	§	
	§	
VS.	§	CRIMINAL ACTION NO. C-12-212-01
	§	
TRAVIS CORY DAVIS	§	
	§	
Defendant.	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of defendant Davis pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(B); and

(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

The evidence against the defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report and addendum are adopted, supplemented by the exhibit and proffer of defense counsel. The defendant has a supportive mother and ties to his community, but he is charged with offenses involving the transportation of multiple kilograms of marihuana on several occasions spanning three years. When the defendant was arrested a year ago, he fled from officers, leaving

his infant child in the house. Weapons were recovered then as well as during his most recent arrest in April 2012. The defendant is a poor bond risk, and he has not rebutted the presumption of nonappearance or danger to the community.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 9th day of May, 2012.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE